

**MINUTES
of the
FIRST MEETING
of the
LAND GRANT COMMITTEE**

**June 1, 2007
Room 309, State Capitol
Santa Fe**

The first meeting of the land grant committee (LGC) was called to order by Representative Miguel P. Garcia, chair, at 10:25 a.m. on June 1, 2007 in room 309 of the State Capitol. There not being a quorum, the committee convened as a special subcommittee.

Present

Rep. Miguel P. Garcia, Chair
Sen. Rod Adair
Sen. Joseph J. Carraro
Rep. Jimmie C. Hall
Rep. Debbie A. Rodella

Absent

Sen. Richard C. Martinez, Vice Chair
Rep. Justine Fox-Young
Rep. Manuel G. Herrera
Sen. Gerald Ortiz y Pino
Sen. James G. Taylor

Advisory Members

Rep. Paul C. Bandy
Rep. Thomas A. Garcia
Sen. Phil A. Griego
Rep. Ben Lujan

Sen. Carlos R. Cisneros
Sen. Bernadette M. Sanchez
Sen. William E. Sharer
Rep. Eric A. Youngberg

Staff

Jon Boller
Kate Ferlic

Guests

The guest list is in the meeting file.

Friday, June 1

The staff gave a brief review of the committee-endorsed bills that passed or failed during the 2007 legislative session. The LGC endorsed 10 pieces of legislation for the 2007 session, of which five were ultimately passed in some form. The following measures were enacted:

- Chapter 36, which changed Tome's governing statutes to Chapter 49, Article 1 NMSA 1978, was signed into law on March 15;

- Chapter 145, which revised Chilili's statutes to conform with Chapter 49, Article 1 NMSA 1978, was signed into law on April 2;
- Chapter 266 on adverse possession was signed into law on April 3;
- \$25,000 was appropriated to the office of the attorney general for operation of the Guadalupe Hidalgo treaty division; and
- \$45,000 was appropriated to the state commission of public records to prepare title abstracts of state-owned property located within the boundaries of land grants.

Those that did not pass included:

- an appropriation to clean up illegal dumps on land grants;
- an appropriation to fund a land grant studies program;
- a memorial on studying the economic impact of wildlife management areas;
- granting land grants the right to buy former grant lands at delinquent tax sales for the taxes and penalties due on the property; and
- a bill to convert Tecolote's land grant to political subdivision status.

An additional bill affecting land grants, but not endorsed by the committee, was HB 753, returning certain lands to the Tierra Amarilla land grant under certain conditions.

Miscellaneous Business and Public Comment

Two members of the committee expressed concern about private landowners and developers blocking traditional access routes to public and private lands in northern New Mexico and said they hope the committee could address the issue at one of its meetings. A request was also made to supply new members of the committee with copies of the report issued by the state commission of public records last year on former grant lands now under state ownership.

Jerry Fuentes and Filemon Sanchez, members of the board of directors of the Mexicano land education and conservation trust, asked the committee to request the appropriate authority to conduct an audit of the trust to make sure that its money has been properly expended. Committee members requested staff to send a letter to the appropriate agency to that effect. Mr. Sanchez also invited the committee to visit Las Trampas land grant during the interim.

Richard Griego, a retired professor of mathematics and an Atrisco land grant heir, reported that many heirs of the grant feel that the town of Atrisco land grant still exists and that the Westland corporation, which was recently sold to SunCal corporation, is simply the corporate arm of the land grant. He said that the lineal descendants of the original grant had elected a board of trustees and that the trustees would like to be part of the land grant council.

John Chavez, Santa Cruz de la Canada land grant, reported that he had met with the state historian, Estevan Rael-Galvez, while conducting research at the state archives. He suggested that Mr. Rael-Galvez should be invited to make a presentation to the committee on the resources concerning land grants that are available in the state archives.

Roberto Mondragon, Anton Chico land grant, briefly outlined the progress the land grant community has made over the past few years, the roles of the land grant forum and the Mexicano land education and conservation trust in promoting land grant issues and the need for the formation of a state-created land grant council to carry on that work. He said priorities for the next year should include encouraging congressional action on the creation of trust funds and process for the return of lands to community land grants, the establishment of a land grant studies program at the university of New Mexico and creation of a commission to study individual land grants and document their boundaries.

Juan Sanchez, Chilili land grant, asked the committee to endorse the creation of an acequia registry in the office of the secretary of state. Mr. Mondragon commented that the appropriate place for the establishment of an acequia registry is the office of the state engineer, and noted that the state engineer is in fact already tasked with the registration of all acequias in the state. It was suggested that Mr. Mondragon, who is the special water projects coordinator for the state engineer and the interstate stream commission, and Paula Garcia, executive director of the New Mexico acequia association, be invited to address this issue during the interim.

Eliu Martinez, Sebastian Martin land grant, said that the 54,000 acres of the grant are now in the hands of the United States forest service and bureau of land management, and asked how he could petition to get the land back. Committee members suggested that he be invited to address the committee at its Truchas meeting.

Work Plan

The committee, sitting as a special subcommittee, recommended to the legislative council the following work plan and meeting schedule:

- address long-standing grievances related to state and federal treatment of Spanish and Mexican land grants by reviewing operation of the Guadalupe Hidalgo treaty division of the office of the attorney general and requesting funding of the division as part of the base budget of the office of the attorney general; hear the attorney general's response to the 2004 government accountability office (GAO) report on community land grants; explore the possibility of purchase of bureau of land management property by the state for eventual return to community land grants; and request the transfer of lands owned by the department of game and fish to community land grants that formerly owned those lands;
- examine the implications of granting political subdivision status to community land grants, including state auditor requirements for auditing of community land grants; examine department of finance and administration procedures for evaluating and approving capital outlay appropriations for community land grants; conform the Tecolote land grant governing statutes with Chapter 49, Article 1 NMSA 1978; explore possible purchase of insurance from the risk management division by boards of trustees; and review state forestry division programs involving community land grants;

- discuss: 1) whether implementation of legislation and ongoing programs should include a report on property tax division administration of delinquent tax sales of land located within boundaries of community land grants; and 2) preparation of title abstracts by the state commission of public records on state-owned property located within the historic boundaries of community land grants;
- establish a land grant studies program at the university of New Mexico; and
- other issues to be considered include: 1) creation of a state land grant council; 2) legislation on the transfer of domestic well water rights to mutual domestic water consumer associations; 3) department of transportation placement of signs indicating community land grant boundaries; 4) Rio Costilla fish poisoning concerns; 5) funding of mortgages by the mortgage finance authority on land grant common lands; and 6) clean-up of illegal dumps located in community land grants.

Proposed Meeting Dates

Date	Meeting Place
July 23, 24	Questa
August 20, 21	Truchas
September 6, 7	Chama
October 11, 12	Anton Chico
November 9	Santa Fe

There being no further business, the committee adjourned at 12:45 p.m.